THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.No. 6627 of 2006

Dated:08-02-2007

Between:-

Bommatha Narsaiah

..Petitioner

And

The Superintendent of Police,
Adilabad, Adilabad district and two others.

..Respondents.

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:O R D E R:

The allegations of the petitioner are that the respondents are illegally calling himself and his family members to the police station and keeping them in the police station illegally without registering any crime and without any justification. It is stated that the third respondent, Sub-Inspector of Police, Bazarhathnoor Police Station, Adilabad district compelled them to confess a false case and obtained certain signatures on white blank papers. On 30-03-2006 also the third respondent called himself and his father and threatened to confess a false case. If those allegations are true and correct, it constitutes a serious offence. Admittedly, the petitioner has not made any representation either before the Superintendent of Police or filed any complaint before the concerned Judicial Magistrate of First Class as contemplated under Section 200 of the Criminal Procedure Code, 1973.

Counter has been filed stating that all the allegations stated in the affidavit filed in support of the writ petition are incorrect and the third respondent never called the petitioner and his father and they were never kept in their custody. The writ petition is filed on 03-04-2006. It is stated that one Gajula Murali son of Ramulu, r/o Degama village of Bazarhathnoor Mandal, Adilabad district lodged a complaint with the 3rd respondent on 11-04-2006 against the petitioner and

others. The gist of the complaint is that the petitioner and three others purchased Soyabeen from Degam village farmers and did not pay the cash to the farmers. Basing on such complaint, Crime No.31 of 2006 was registered for the offences under Section 420 IPC on 11-04-2006 against the petitioner and others and in that connection they were also arrested on 22-05-2006 and sent them to the judicial custody, who later on enlarged on bail. It is stated that after completion of investigation, charge sheet is also filed in C.C.No. 190 of 2006 on the file of Judicial First Class Magistrate, Boath and the said case is pending trial. In view of the averments made in the counter it can be concluded that prior to the filing of the complaint, the respondent have not at all interfered with the petitioner and his family members and on registering a criminal case against the petitioner and others, they were arrested and subsequently enlarged on bail. In the circumstances, no further orders are required to be passed in this petition. The writ petition is accordingly dismissed.

V. ESWARAIAH, J

Dated: 08-02-2007.
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